



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

Ohio EPA 6/19/2020  
Entered Directors Journal

June 19, 2020

Re: **Dovetail Energy, LLC**  
**Director's Authorization**  
**Approval**  
**NPDES**  
**Greene County**  
**11N00305**

Ms. Cari Oberfield  
Dovetail Energy, LLC  
P.O. Box 249  
Delaware, OH 43015

**Subject: Class B Biosolids Beneficial Use Site Authorization**

Dear Ms. Oberfield:

6/19/2020

Ohio EPA received a request from Renergy, Inc. on behalf of Dovetail Energy to include the following sites as part of the biosolids management program:

<u>Ohio EPA Site #</u>	<u>Field ID</u>	<u>County</u>	<u>Township</u>
11-00261	LOR-01-01	Champaign	Harrison
11-00262	LOR-01-02	Champaign	Concord
11-00263	LOR-01-03	Champaign	Concord
11-00264	LOR-01-04	Champaign	Concord

**Ohio EPA Site 11-00261 (Field ID LOR-01-01)**

This approximately 86-acre beneficial use site, owned and operated by **Exemption 6**, is located at **Exemption 6** in DeGraff. The beneficial use site's soil units consist of Brookston silty clay loam, Celina silt loam, and Crosby silt loam. Soil analytical results indicate an average pH of 6.9 S.U. and phosphorus ranging from 24 to 36 parts per million (ppm) Mehlich 3 extraction.

**Ohio EPA Site 11-00262 (Field ID LOR-01-02)**

This approximately 35-acre beneficial use site, owned by **Exemption 6** and operated by Kizer Farms, is located at **Exemption 6** in Urbana. The beneficial use site's soil units consist of Brookston silty clay loam, Celina silt loam, and Miami silt loam. Soil analytical results indicate an average pH of 7.7 S.U. and phosphorus ranging from 13 to 33 ppm Mehlich 3 extraction.

**Ohio EPA Site 11-00263 (Field ID LOR-01-03)**

This approximately 12-acre beneficial use site, owned by **Exemption 6** and operated by Kizer Farms, is located at **Exemption 6** in Urbana. The beneficial use site's soil units consist of Celina silt loam and Crosby silt loam. Soil analytical results indicate a pH of 7.4 S.U. and phosphorus of 16 ppm Mehlich 3 extraction.

**Ohio EPA Site 11-00264 (Field ID LOR-01-04)**

This approximately 36-acre beneficial use site, owned by **Exemption 6** and operated by Kizer Farms, is located at southeast of the intersection of Barger Road and Millerstown-Eris Road. The beneficial use

site's soil units consist of Brookston silty clay loam, Celina silt loam, Miami silt loam, and Sloan silt loam. Soil analytical results indicate an average pH of 7.4 S.U. and phosphorus ranging from 39 to 46 ppm Mehlich 3 extraction.

A review of the application and sites was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. The review considered soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40-06, Ohio EPA hereby authorizes this site to be included as part of the Dovetail Energy Class B biosolids management program. This authorization is subject to conditions contained in the Dovetail Energy NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC 3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

This site is authorized for the conditions present as of the date of this letter. The permittee shall evaluate the site prior to each beneficial use event to determine if any changes have occurred at or near the site that may affect the site restrictions. Changes shall be reported on the annual sludge report in accordance with OAC 3745-40-06(F).

#### **Specific Conditions**

1. All biosolids beneficially used at these sites shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours.
2. Prior to beneficial use, the agronomic rate shall be determined in accordance with OAC 3745-40-08(A)(2) and include all sources of nitrogen and phosphate, such as commercial fertilizer or manure.
3. Biosolids shall not be applied within the isolation distances listed in OAC 3745-40-08(C).
4. The review indicated the presence of soils classified as frequently flooded at Site 11-00264. OAC 3745-40-08(D)(1) requires that the beneficial use of biosolids be limited to same day incorporation or injection on areas of beneficial use sites that are frequently flooded during periods when flooding is expected.
5. Biosolids application records shall be maintained in accordance with OAC 3745-40-09(C).

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, OH 43215

If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (<http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx> ), or contact Betsy VanWormer at (614) 644-2150 or via email at [betsy.vanwormer@epa.ohio.gov](mailto:betsy.vanwormer@epa.ohio.gov).

Sincerely,



Laurie A. Stevenson  
Director

Enclosure

Cc: Champaign County Health District  
Champaign County Soil and Water Conservation District  
Harrison Township Trustees  
Concord Township Trustees  
Exemption 6

Ec: Cari Oberfield, Renergy  
Jeff Williamson, Renergy

Exemption 6

Kizer Farms  
Betsy VanWormer, Ohio EPA - DSW/CO  
Kennedy Gardner, Ohio EPA - DSW/CO  
Ned Sarle, Ohio EPA - DSW/SWDO  
Maureen Ware, Ohio EPA – DSW/SWDO



Class B Biosolids  
Site Authorization

Dovetail Energy  
NPDES 11N00305

Ohio EPA Site  
11-00262

Field ID  
LOR-01-02



Division of Surface Water  
50 West Town Street, Suite 700  
Columbus, OH 43216  
(614) 644-2150



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